

3
4 AN ORDINANCE amending Article IX of
5 the Code of the City of Fort Wayne,
6 Indiana of 1974 by making certain
7 amendments and deletions thereto.8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:10 SECTION 1. Section 2-76 of Article IX is hereby
11 amended as follows:12 The name "Neighborhood Care, Inc." shall be deleted,
13 and the name "Housing and Neighborhood Development
14 Services, Inc." shall be substituted therefor.15 SECTION 2. Section 2-80 is hereby repealed and a new
16 Section 2-80 is inserted as follows:17 The membership of the corporation shall be composed
18 of, and shall be identical to, its Board of Directors.
19 Said Board of Directors shall govern the business and
20 affairs of the corporation and shall consist of
21 twelve (12) members composed of two (2) divisions
22 designated in the following manner:

23 (a) Division 1. Public Directors.

24 (1) Mayor of the City, or his designated repre-
25 sentative;
26 (2) Director of the Department of Community
27 Development and Planning;
28 (3) Managing Director of the corporation;
29 (4) President of the Common Council, or his
30 designated representative;
31 (5) One other official or employee of the City
32 to be appointed by the Mayor.

(b) Division 2. Community Directors.

33 Seven (7) persons appointed by the Mayor who shall
34 be experienced in housing, accounting, banking,
35 law, real estate, and neighborhood areas within
36 the City.37 SECTION 3. Section 2-81 of Article IX is hereby repealed
38 and a new Section 2-81 is inserted as follows:39 The Managing Director of the corporation shall also
40 be Executive Vice-President of the corporation and its
41 principal staff officer.

1 Page Two

2 SECTION 4. A new Section 2-91 shall be added as
3 follows:

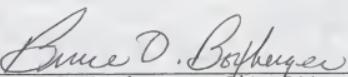
4 2-91. In order that the corporation can successfully
5 fulfill its functions of providing good and sufficient
6 housing at a fair and reasonable cost, the Managing
7 Director of the corporation, upon approval by the
8 Director of the Department of Community Development
9 and Planning, is authorized to debar contractors
10 (individuals and companies) for a period of up to
11 three (3) years upon a determination that such contractors:
12 (1) lack integrity; or (2) have a record of
13 poor performance; or (3) lack financial capability.
14 All such debarment action shall be conducted in
15 accordance with the procedures set forth in the
16 Indiana Administrative Adjudication Act, and shall not
17 exceed three (3) years except upon a rehearing.
18 The decision of the Managing Director shall be final.
19 During the term of the debarment, no contracts shall
20 be awarded by the corporation or by the Department of
Community Development and Planning, to the company
or person debarred or any company or person with
which that company or person is affiliated or employed.
Furthermore, during the term of the debarment the
corporation shall not fund any contracts or pay any
monies, except for monies legally owing for work
performed prior to the period of the debarment, to the
company or person debarred or any company or person
with which that company or person is affiliated or
employed. Provided, however, nothing herein contained
shall limit the right of the Managing Director of
Housing and Neighborhood Development Services, Inc.
or the Director of the Department of Community Develop-
ment and Planning to declare a contractor not re-
sponsible or responsive or to award a contract to
the lowest and best bidder.

21 SECTION 5. That the above and foregoing Amendments
22 and additions are approved in all respects and the proper
23 Amendments to the Articles of Incorporation of Neighborhood
24 Care, Inc. are hereby authorized.

25 SECTION 6. That this Ordinance shall be in full force
26 and effect from and after its passage and approval by the Mayor
27 and legal publication thereof.

28 APPROVED AS TO FORM
29 AND LEGALITY


Alvin D. Boxberger
Councilmember

30 
31 Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Justus,
seconded by Henry J. Judy, and duly adopted, read the second time
by title and referred to the Committee Regulation (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on June 1, 1982, the 1 day of June, at 10:00 o'clock A.M., E.S.T.

DATE: 5-28-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Eusebach,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (PASSED) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>		<u>1</u>	
<u>BRADBURY</u>	<u>X</u>				
<u>BURNS</u>	<u>X</u>				
<u>EISBART</u>	<u>X</u>				
<u>GiaQUINTA</u>	<u>X</u>				
<u>NUCKOLS</u>					<u>X</u>
<u>SCHMIDT</u>	<u>X</u>				
<u>SCHOMBURG</u>	<u>X</u>				
<u>STIER</u>	<u>X</u>				
<u>TALARICO</u>	<u>X</u>				

DATE: 6-8-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (RESOLUTION) NO. S-98-82
on the 8th day of June, 1982.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 9th day of June, 1982, at the hour of
11:30 o'clock A.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 11th day of June
1982, at the hour of 9 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. S-82-05-16

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS REFERRED AN
ORDINANCE amending Article IX of the Code of the City of Fort Wayne,
Indiana of 1974 by making certain amendments and deletions thereto

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE *7* PASS.

BEN A. EISBART - CHAIRMAN

JANET G. BRADBURY = VICE CHAIRMAN

PAUL M. BURNS

JOHN NUCKOLS

ROY J. SCHOMBURG

DATE

CONCURRED IN:

DIGEST SHEET

TITLE OF ORDINANCE

Community Development and Planning division of

DEPARTMENT REQUESTING ORDINANCE Housing and Neighborhood Development Services, Inc.

S82-05-16

SYNOPSIS OF ORDINANCE - an ordinance to amend the agency's by-laws to change the agency's name from Neighborhood Care, Inc. to Housing and Neighborhood Development Services, Inc. and to indicate in the By-Law's the revised composition of the agency's Board of Directors. In addition to updating the agency's by-laws, an addendum is included for the provision of authorizing the corporation's principal staff officers the authority to debar contractors determined by the agency negligent of the rehabilitation program's standards and requirements up to three years. (Contractors will be privileged a hearing).

EFFECT OF PASSAGE - Agency's name in the by-laws will be in accordance with that amended to its Articles of Incorporation filed with the Secretary of State and the agency's Board composition will be the same as that in reality. The agency will have the authority to debar from the rehabilitation loan program, contractors deemed negligent and irresponsible of its program standards and requirements.

EFFECT OF NON-PASSAGE Agency's name and board composition will not be in accordance with current by-laws. The agency will not have the authority to prohibit contractors performing poor workmanship and deemed negligent of the agency's standards and requirements from participating in the rehabilitation program, thus causing hardships to citizens.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS,) Though no direct dollar savings can be quoted, in Housing and Neighborhood Development Services, Inc.'s one-half million dollar corrective rehabilitation project, some of the work that the agency had to correct was a result of contractor negligence.

ASSIGNED TO COMMITTEE (J.N.)



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

June 11, 1982

Ms. Judy High
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of June 16, 1982 and June 23, 1982, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. Z-82-05-13
Zoning Map Ordinance No. Z-13-82

Bill No. Z-82-05-12
Zoning Map Ordinance No. Z-12-82

Bill No. S-82-05-16
Special Ordinance No. S-98-82

Bill No. S-82-05-31
Special Ordinance No. S-97-82

Please send us 16 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-05-13 -- Zoning Map Ordinance No. Z-13-82 -- AN ORDINANCE to correct a Scrivernor's Error in Bill No. Z-81-08-22

Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-82-05-12 -- Zoning Map Ordinance No. Z-12-82 -- AN ORDINANCE to correct a Scrivernor's Error in Bill No. Z-82-01-05

Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-05-16 -- Special Ordinance No. S-98-82 -- AN ORDINANCE amending Article IX of the Code of the City of Fort Wayne, Indiana of 1974 by making certain amendments and deletions thereto

Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-05-31 -- Special Ordinance No. S-97-82 -- AN ORDINANCE approving and authorizing the execution of an Interlocal Cooperation Agreement by and between the City of Fort Wayne, Indiana and the Fort Wayne Public Transportation Corporation (P.T.C)

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-05-13 -- Zoning Map Ordinance No. Z-13-82; Bill No. Z-82-05-12 -- Zoning Map Ordinance No. Z-12-82; Bill No. S-82-05-16 -- Special Ordinance No. S-98-82 and Bill No. S-82-05-31 -- Special Ordinance No. S-97-82 were passed by the Common Council on the 8th day of June, and said Ordinances were signed and approved by the Mayor on the 11th day of June, 1982, and remains on file and on record in my office.

Copies of Bill No. Z-82-05-13-- Zoning Map Ordinance No. Z-13-82; Bill No. Z-82-05-12 -- Zoning Map Ordinance No. Z-12-82; Bill No. S-82-05-16 -- Special Ordinance No. S-98-82 and Bill No. S-82-05-31 -- Special Ordinance No. S-97-82 will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor of the City-County Building
- (2) The bulletin board in the lobby of downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

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Legal Notices

Copies of Bill No. Z-82-05-13 -- Zoning Map Ordinance No. Z-13-82; Bill No. Z-82-05-12 -- Zoning Map Ordinance No. Z-12-82; Bill No. S-82-05-16 -- Special Ordinance No. S-98-82 and Bill No. S-82-05-31 -- Special Ordinance No. S-97-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana

Charles W. Westerman
Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on June 16, 1982.

Charles W. Westerman
Charles W. Westerman
City Clerk

Fort Wayne Common Council
(Governmental Unit)

Allen

County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines	1
Body	number of lines	101
Total	number of lines	2
Total number of lines in notice		104

COMPUTATION OF CHARGES

104	1	104	equivalent lines at .300¢	\$ 31.20
lines	columns wide	cents per line		

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)	14 extra	7.00
		\$ 38.20

TOTAL AMOUNT OF CLAIM.

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Annie De Told

Title CLERK

LEGAL NOTICE
Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-05-13 — Zoning Map Ordinance No. Z-13-82—AN ORDINANCE to correct a Scrivener's Error in Bill No. Z-812-01-05.

Notice is hereby given that on the 8th day of June, 1982, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. S-82-05-16—Special Ordinance No. S-98-82—AN ORDINANCE regarding and authorizing the execution of an Interlocal Cooperation Agreement by and between the City of Fort Wayne, Indiana and the Fort Wayne Public Transportation Corporation (PTC).

Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-82-05-13 — Zoning Map Ordinance No. Z-13-82, Bill No. Z-82-05-12 — Zoning Map Ordinance No. S-97-82 were passed by the Common Council on the 8th day of June, 1982. The Ordinances were signed and approved by the Mayor on the 11th day of June, 1982 and remain on file and on record in the office.

Copies of Bill No. Z-82-05-13—

Zoning Map Ordinance No. Z-13-82, Bill No. Z-82-05-12—Zoning Map Ordinance No. S-97-82 and Bill No. S-98-82—AN ORDINANCE No. S-98-82 will be posted in the lobby of the Allen County Court House.

Copies of Bill No. Z-82-05-13—

Zoning Map Ordinance No. Z-13-82, Bill No. Z-82-05-12—Zoning Map Ordinance No. Z-13-82, Bill No. S-97-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor of the City County Building.

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library.

(3) The bulletin board in the lobby at the East door of the Allen County Court House.

Copies of Bill No. Z-82-05-13—

Zoning Map Ordinance No. Z-13-82; Bill No. Z-82-05-12—Zoning Map Ordinance No. Z-13-82, Bill No. S-97-82 will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) Reference Room in the north end of the main floor in the Downtown Public Library.

(2) The Journal-Gazette Common Council Proceedings in the Office of the City Clerk of Fort Wayne, In-

diana.

Charles W. Westerman
Clerk of the City of Fort Wayne, Indiana, fulfilled all the requirements of the above ordinances in the design and places as stated on June 16, 1982.

Charles W. Westerman
City Clerk

6—16—23

PUBLISHER'S AFFIDAVIT
State of Indiana
ALLEN COUNTY SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned. *ARVILLA DEWALD*, who, being duly sworn, says that she is *CLERK* of the *JOURNAL-GAZETTE*, *DAILY*, newspaper of general circulation printed and published in the English language in the city of *FORT WAYNE, INDIANA*.

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for *two times*, the dates of publication being as follows:

6/16 - 6/23/82

Subscribed and sworn to before me this 23rd day of June 1982.

My commission expires November 29, 1985

Annie De Told *June 29, 1982*
Annie De Told *June 29, 1982*
Annie De Told *June 29, 1982*
Annie De Told *June 29, 1982*

Charles W. Westerman *Charles W. Westerman*
Clerk of the City of Fort Wayne, Indiana, fulfilled all the requirements of the above ordinances in the design and places as stated on June 16, 1982.

Charles W. Westerman
City Clerk

6—16—23

